

AMENDMENT UNDER 37 C.F.R. § 1.111

Application Number 09/489,134

REMARKS

Claims 1-99 are all the claims pending in the application.

Each of the independent claims, namely claims 1, 30, 31, 60, 61 and 90, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Duwaer et al. Each of the independent claims are amended to indicate more clearly that the compilation of content that is created is a hierarchical compilation. It is respectfully submitted that Duwaer neither teaches nor suggests creating such a hierarchical compilation of content, and accordingly does not render the claims unpatentable.

Duwaer relates to a user presentation system for producing a compiled set of audio and/or visual items. As shown in Fig. 2, a plurality of tracks from an audio compact disc can be selected to create a library of audio tracks. (See also column 2.) Fig. 4 shows a compilation creation tab view in Duwaer's user presentation system. That view displays various attribute data for the tracks that held on the disc in order to ease selection. Referring to Fig. 5, as selections are made many of the audio items that are not relevant to the selection are suppressed from the display. Only track selections corresponding to the selected attributes are displayed. A track is added to a compilation by pressing button 62, which causes the track to be added to the compilation demo compilation area 72 shown in Fig. 5. Such a compilation consists merely of a group of audio tracks that have been selected. None of those tracks are hierarchically related to one another nor does Duwaer suggest that the compilation of tracks shown in box 72 is a hierarchical compilation of content. Accordingly, it is respectfully submitted that Duwaer does not teach or suggest all the limitations of the independent claims.

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The remaining claims rejected under Duwaer contain by reference all the limitations of one of the independent claims and hence, are patentable for at least the same reasons.

Claims 2-3, 29, 32-33, 59, 62-63 and 89 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Duwaer in view of Pajak et al. and ksinclair.com. Applicant respectfully submits that there is no teaching or suggestion to combine the references as asserted, and hence, the prior art does not render the claims unpatentable.

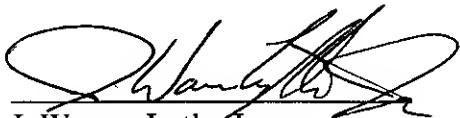
Pajak is relied on for disclosing a hierarchy of containers and documents. In the rejection, it is asserted, without support, that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Duwaer method to include a document, an image or book as allegedly taught by Pajak and ksinclair.com. The alleged motivation is to “have a collaborative system of various kind of data.” It is respectfully submitted that Duwaer, either alone or in combination with Pajak and ksinclair.com, neither teaches nor suggests using the method of Duwaer to create a hierarchical compilation. Duwaer, as shown in Fig. 5, is directed to audio track collections and does not suggest using such a selection system to create a hierarchical compilation. Accordingly, it is respectfully submitted that the prior art does not render the claims unpatentable.

The remaining claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Duwaer in view of ksinclair.com. Each of these claims contained by reference all the limitations of the independent claims, and hence, are patentable for at the least same reasons discussed above.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Twice Amended) A method for creating a compilation from a collection of content stored in a database, comprising the steps of:

presenting a plurality of selectable objects to a user, each object associated with a subset of the collection of content;

in response to selection by a user of one or more of said objects, creating a hierarchical compilation of the content associated with each selected object.

30. (Twice Amended) A method for creating a compilation from a plurality of content objects stored in a data repository, each content object comprising a plurality of hierarchically related content entries, comprising the steps of:

in response to selection of ones of the hierarchically related elements to include in a hierarchical compilation, creating a compilation from the selected content entities.

31. (Amended) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for creating a compilation from a collection of content stored in a database, comprising the steps of:

presenting a plurality of selectable objects to a user, each object associated with a subset of the collection of content;

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in response to selection by a user of one or more of said objects, creating a hierarchical compilation of the content associated with each selected object.

60. (Twice Amended) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for creating a compilation from a plurality of content objects stored in a data repository, each content object comprising a plurality of hierarchically related content entities, comprising the steps of:

in response to selection of ones of the hierarchically related elements to include in a hierarchical compilation, creating a compilation from the selected content entities.

61. (Twice Amended) A system for creating a compilation from a collection of content stored in a database, comprising:

a user interface for presenting a plurality of selectable objects to a user, each object associated with a subset of the collection of content;
means responsive to selection by a user of one or more of said objects, for creating a hierarchical compilation of the content associated with each selected object.

90. (Twice Amended) A system for creating a compilation from a plurality of content objects stored in a data repository, each content object comprising a plurality of hierarchically related content entities, comprising:

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means for enabling a user to select ones of the hierarchically related elements to include in a compilation, and
means for creating a hierarchical compilation from the selected content entities.